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05                   UNITED STATES DISTRICT COURT  
06                   WESTERN DISTRICT OF WASHINGTON  
07                   AT SEATTLE

08           UNITED STATES OF AMERICA,                 ) CASE NO. CR 19-163-RSL  
09   )  
10           Plaintiff,                                     )  
11   )  
12   )  
13           v.   ) DETENTION ORDER  
14   )  
15   )  
16           FRANKLIN LEAL-ARTIAGA,                     )  
17   )  
18   )  
19           Defendant.                                     )  
20   )  
21   )  
22   )

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13           Offenses charged in Indictment

14           Count 1 - Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine  
15           and Heroin

16           Count 2 – Possession of Methamphetamine and Heroin with Intent to Distribute

17           Date of Detention Hearing:   September 3, 2019

18           The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
19           based upon the factual findings and statement of reasons for detention hereafter set forth,  
20           finds that no condition or combination of conditions which defendant can meet will  
21           reasonably assure the appearance of defendant as required and the safety of other persons and  
22           the community.

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02 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

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- (1) The Indictment charges drug offenses, each of which carries a maximum penalty in excess of ten years. This creates a rebuttable presumption of detention, both for dangerousness and flight risk. Defendant offered nothing to rebut that presumption, and stipulated to detention.
- (2) Defendant is a citizen of Honduras, and has no legal status in the United States. There is an immigration detainer pending against him.

It is therefore ORDERED:

1. Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;
3. On order of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 3rd day of September, 2019.

s/ John L. Weinberg  
United States Magistrate Judge